

PATENT APPLICATION
Q-92726

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Henry BUSE

PCT/EP2004/007541

Filed: July 9, 2004

Appln. No. NOT YET KNOWN

Filed: January 26, 2006

For: FLIP-TOP PACKET FOR CIGARETTES

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO/SB/08 A & B (modified) and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of the non-U.S. references cited in the **German** Search Report are submitted herewith. In accordance with 37 C.F.R. § 1.98(a)(2)(i), a copy of US Patent 4,015,769 cited in the **German** Search Report is not submitted herewith. Copies of US Patent Nos. 5,564,563; 5,584,389; 5,476,171; 5,918,736; 2,333,270, GB '149, and DE '726 cited in the **International** Search Report are not submitted herewith since they have already been submitted by the International Bureau.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action

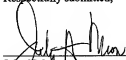
INFORMATION DISCLOSURE STATEMENT

on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 CFR §1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a counterpart German Search Report citing such documents, together with an English-language version of that portion of the Search Report indicating the degree of relevance found by the German Patent Office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



John H. Mion
Registration No. 18,879

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
(202) 663-7901

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23373
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Date: January 26, 2006

Substitute for form 1449 A & B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>		
				Application Number	NOT YET KNOWN	
				Confirmation Number	NOT YET KNOWN	
				Filing Date	January 25, 2006	
				First Named Inventor	Gilles ROUSSELIER et al	
				Art Unit	NOT YET KNOWN	
Examiner Name	NOT YET KNOWN					
Attorney Docket Number	Q-92891					
Sheet	1	of	1			

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 5,564,564		10-15-1996	Heinz FOCKE et al
		US 5,584,389		12-17-1996	Heinz FOCKE et al
		US 5,476,171		12-19-1995	Alessandro MINARELLI et al
		US 5,918,736		7-6-1999	Shuugo SUZUKI et al
		US 2,333,270		11-2-1943	Alfred M. OPLER
		US 4,015,769		4-5-1977	Shlomo ERLICH

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁴
		Country Code ²	Number ³	Kind Code ² (if known)			
		GB	1 585 149		2-25-1981	FOCKE & CO.	
		DE	88 03 726	U1	7-20-1989	MARTIN BRINKMANN AG	
		DE	198 36 940	A1	2-24-2000	FOCKE & CO.	
		DE	43 38 954	A1	5-18-1995	FOCKE & CO.	
		DE	298 17 194	U1	3-25-1999	Sven KRETSCHMAR	
		FR	712 353		1-10-1931	Jose RAMON	
		WO	03/026894	A1	4-3-2003	G.D. SOCIETA PER AZIONI	
		WO	02/095915	A1	8-1-2003	BUREAU D.A. CASALONGA JOSSE	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.			Translation ⁴

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbol as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is indicate here if English language translation is attached.